



*okay to enter
Ellis 2/2/04*

*#10/Response, EOT-2
(E)
Ellis
2-12-04*

566.38876X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: K. KUSAMI, et al

Serial No.: 09/635,630

Filed: August 10, 2000

For: SERVICE RESERVATION SYSTEM

Group: 3626

Examiner: C. Gilligan

RECEIVED
FEB 10 2004
GROUP 3600

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 28, 2004

Sir:

The following is in response to the August 28, 2003 final Office Action.

Prior to examination of the present application based on the present Response Applicants hereby respectfully request the Examiner to contact Applicants' Attorney by telephone so as to schedule an interview prior to examination of the present application.

In the Office Action the Examiner again rejected claims 1, 6, 8 and 10 under 35 USC §102(e) as being anticipated by Campbell (U.S. Patent No. 5,918,209); rejected claim 2 stands under 35 USC §103(a) as being unpatentable over Campbell and an alleged Official Notice; and claims 3-5, 9 and 11 under 35 USC §103(a) as being unpatentable over Campbell in view of Lynch (U.S. Patent No. 6,119,094). These rejections are traversed for the following reasons. Applicants submit that the

features of the present invention as recited in claims 1-6 and 8-11 are not taught or suggested by Campbell, the alleged Official Notice and Lynch whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw these rejections.

In the Remarks of the June 9, 2003 Amendment arguments were presented distinguishing the features of the present invention as recited in the claims and Campbell, the alleged Official Notice and Lynch. These arguments are incorporated herein by reference. In addition to these arguments Applicants hereby supply the following.

The present invention as recited in the claims is entirely different from Campbell particularly with respect to the method of deciding whether a reservation could be accepted, the presence or absence of means for controlling use of service resources, the unit measurement of the service resources to be managed, and the integrated management of the different service resources to be managed, respectively.

With respect to the method of deciding whether a reservation could be accepted as per the present invention the following is provided.

In Campbell, when a flight path from the starting place to the arrival place, which is requested for reservation is composed of a plurality of flight legs, and when the sum of revenues of the respective flight legs exceeds the sum of marginal values thereof, the request for reservation is accepted.

As per Campbell, such a marginal value is introduced as a purpose for maximization of the revenue of whole airline companies and is defined as the minimum value of individual subscription price. The marginal value as per Campbell is periodically calculated by a marginal value system (MTS) based on the demand forecast, the significance (worth) of the passenger, and the residual number of seats.

In the present invention, the degree of importance of the request for reservation is determined on the basis of the attribute of a user, the status information (load level to the service resources, social factors or the like) and the attribute of a service. If the degree of importance of the request for reservation exceeds the predetermined value, the request for reservation is accepted.

In Campbell, when the load level to the service resource is high, even if there are residual service resources, the request for reservation is not accepted, and a service resource to which load level is lower is presented as a substitute reservation plan. By this, processing by Campbell makes it possible to satisfy more requests for reservation from users.

Thus, in Campbell only the revenues of the respective flight legs are evaluated for every request for reservation. On the other hand, in the present invention, all of the attributes of a user, the status information (load level to the service resources, social factors or the like) and the attributes of a service are evaluated for every request for reservation. Accordingly, in the present invention an appropriate decision whether or not a request for reservation is accepted can be made even when these information (the attribute of a user, the status information and the attribute of a service) are changed very often. For instance, even when the

load level to the network, and the actual value and the predictive value of the convergence are varied in a broad range, an appropriate decision whether or not a request for reservation is accepted can be made by taking such variances into account. Campbell cannot accomplish the above noted features of the present invention since such would necessitate update of the number of marginal values very often.

Therefore, the present invention differs from that taught by Campbell.

With respect to the means for controlling use of service resources the following is provided.

Campbell has no means for controlling the service resources for execution of a service, namely service resources of flights, seats or the like. However, the present invention has means for controlling the resources for accumulation of data, transfer thereof and processing thereof.

Thus, as mentioned above, the present invention has means for controlling the resources for accumulation of data, transfer thereof and processing thereof. Therefore, this difference between the present invention and Campbell regarding control of the urgency of communication quality or the like can be minutely controlled, and it is possible to increase the number of users who can utilize the services.

With respect to the unit of measurement of the service resources to be managed the following is provided.

In Campbell, the unit of measurement of the service resources subjected to a request for reservation is limited to countable ones such as the number of seats.

Further, in Campbell the service resource is seats and no other kind is discussed. The present invention includes uncountable service resources as the matters to be managed or controlled.

Thus, as mentioned above, the present invention includes not only countable service resources such as the number of seats but also uncountable service resources concerning matters to be managed or controlled. Thus, by these features of the present invention, when the load level of a service resource is high, service that can be provided to the users need not degenerate. As the result according to the present invention more users can utilize the service.

With respect to integrated management of the different service resources to be managed the following is provided.

In Campbell, the service resource to be requested for reservation is limited to one kind, namely the service resource is a seat. The present invention has means for integrated management of means for controlling the resources for accumulation of data, transfer thereof and processing thereof, namely the service resources allotment management computer.

Thus, Campbell does not teach suggest means for integrated management of the different service resources to be managed. Accordingly, Campbell et al. cannot be used as a service reservation system necessary to combine a plurality of different service resources as in the present invention.

Therefore, as is quite clear from the above, the features of the present invention as now more clearly recited in the claims are not taught or suggested by Campbell. Therefore, reconsideration and withdrawal of the 35 USC §102(e)

rejection of claims 1, 6, 8 and 10 as being anticipated by Campbell is respectfully requested.

The above noted deficiencies of Campbell are not supplied by the alleged Official Notice. The alleged Official Notice referred to by the Examiner merely states that it is common practice in the perishable goods industry to create a directly prepositional relationship between demand and marginal values for purposes of estimated materialization and revenue. However, as noted in the Remarks of the June 9, 2003 Amendment it appears that the Examiner has confused the issues. "Marginal value" does not correspond to "degree of importance". The degree of importance is a measure of the importance of a reservation request which may cause a multitude of responses depending on whether the degree of importance exceeds a predetermined degree of importance level. Such features are clearly not taught or suggested by Campbell not the alleged Official Notice.

Therefore, combining the teachings of Campbell with the alleged Official Notice still fails to teach or suggest the features of the present invention as recited in claim 2. Therefore, reconsideration and withdrawal of the 35 USC §103(a) rejection of claim 2 as being unpatentable over Campbell and the alleged Official Notice is respectfully requested.

In Lynch, a plurality of travel arrangements which agree with the conditions included in the request for reservation is listed including whether or not a reservation could be accepted and an alternative plan for reservation. These actions based on conditions are decided in accordance with the significance of the request for reservation by means of an genetic algorithm.

In the present invention, an alternative plan is created by the change of at least one parameter among boundary condition parameters in the service resource-search conditional expression, which constitutes the content of a request for reservation. According to the present invention, it is decided which parameter is changed by the service operation policy by evaluating the attribute of a user, status information (load level to resources, social factors or the like) and the attribute of a service.

According to Lynch, only the travel arrangements which agree with the conditions included in a request for reservation are presented to the user. By this, it is impossible to allocate for the user such that a service resource suitable for the status of the service resource. Further, in the case of few service resources, no alternative plan can be presented to the user. In this case, the user has to decide a request for reservation after a process of trial and error, thereby the operation being cumbersome for the user. On the other hand, according to the present invention, the number of alternative plans can increase by means of heightening the flexibility of the conditional expression. Further, by taking the implicit demand not explicitly included in the request for reservation from the user into account, the system of the present invention can be led so as to allocate service resources suitable for the demand of the user. This results in fair use of service resources so that more requests for reservation from the users can be satisfied.

As is quite clear from the above Lynch does not teach or suggest the features of the present invention nor does it teach or suggest the above noted deficiencies of Campbell. Thus, combining the teachings of Campbell and Lynch in the manner

suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as recited in the claims. Therefore, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 3-5, 9 and 11 as being unpatentable over Campbell in view of Lynch is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-6 and 8-11.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-6 and 8-11 are in condition for allowance. Accordingly, early allowance of claims 1-6 and 8-11 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (566.38876X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 312-6600

suggested by the Examiner in the Office Action still fails to teach or suggest the features of the present invention as recited in the claims. Therefore, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 3-5, 9 and 11 as being unpatentable over Campbell in view of Lynch is respectfully requested.

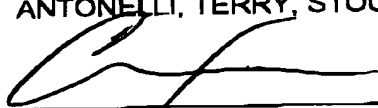
The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-6 and 8-11.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-6 and 8-11 are in condition for allowance. Accordingly, early allowance of claims 1-6 and 8-11 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (566.38876X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 312-6600